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Attorneys for Third Parties
ADVANCED MICRO DEVICES, INC.,
XFX TECHNOLOGY, INC., and
BEST DATA PRODUCTS, INC. D/B/A
DIAMOND MULTIMEDIA

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

RICHTEK TECHNOLOGY CORPORATION,
et al.,

Plaintiffs,

v.

uPI SEMICONDUCTOR CORPORATION,
et al.,

Defendants.

Case No. C09-05659 WHA

**CORRECTED UNOPPOSED MOTION
FOR ENTRY OF PROTECTIVE ORDER
REGARDING CONFIDENTIAL
MATERIALS OF THIRD PARTIES
ADVANCED MICRO DEVICES, INC.,
XFX TECHNOLOGY, INC., AND BEST
DATA PRODUCTS, INC. D/B/A
DIAMOND MULTIMEDIA**

1 WHEREAS, third parties Advanced Micro Devices, Inc. (“AMD”), XFX Technology, Inc.
2 (“XFX”), and Best Data Products, Inc. d/b/a Diamond Multimedia (“Diamond”) disclosed
3 materials designated Confidential Business Information (“CBI”) to Plaintiff Richtek Technology
4 Corp. (“Richtek”) and Defendant uPI Semiconductor Corporation (“uPI”) in the International
5 Trade Commission (“ITC”) investigation and enforcement proceedings designated *In the Matter of*
6 *Certain DC-DC Controllers And Products Containing The Same*, Investigation No. 337-TA-698
7 (the “ITC Proceedings”), and

8 WHEREAS, the CBI materials were designated by AMD, XFX, and Diamond pursuant to
9 protective orders issued by the ITC, and

10 WHEREAS, pursuant to the protective orders issued in the ITC, and contingent on (i) entry
11 of this Protective Order and (ii) the application of the Stipulated Protective Order (Docket 119)
12 and the Order Approving Stipulated Protective Order Subject To Stated Conditions (Docket 130)
13 to their CBI materials, AMD, Diamond, and XFX have agreed to grant consent to uPI and Richtek
14 to use in this Action materials designated CBI by AMD, Diamond, and XFX in the ITC Actions,
15 and


16 WHEREAS, AMD, XFX, and Diamond jointly request that the Court enter this Protective
17 Order, and Richtek and uPI do not oppose this motion:

18 IT IS HEREBY ORDERED that any Party in this Action intending to file with the Court
19 (whether under seal or not) or disclose or discuss at any Court hearing (whether at trial or
20 otherwise) materials designated CBI in the ITC proceedings by AMD, Diamond, and XFX must
21 give advance notice of ten (10) business days to the third party that designated the CBI materials
22 through the undersigned counsel for AMD, Diamond, and XFX. If the third party that designated
23 the CBI materials in the ITC provides a written objection to the Party in this Action that seeks to
24 use the CBI materials within five (5) business days after receiving notice, and if the dispute cannot
25 be resolved after reasonable efforts to meet and confer, the third party that designated the CBI
26 materials in the ITC may file a motion to prevent the use of the CBI materials. Until such a
27 motion is resolved, the CBI materials that are the subject of the objection shall not be filed with
28 the Court, or disclosed, or discussed at any Court hearing in this Action.

1 Nothing in this Protective Order affects the admissibility (or not) in this Action of any
2 materials disclosed in the ITC proceedings.

3
4 PURSUANT TO UNOPPOSED MOTION, IT IS SO ORDERED.

5 DATED: March 18, 2013.
6 _____



Honorable William Alsup
United States District Judge

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9 DATED: February 28, 2013

DARIN W. SNYDER
MICHAEL SAPOZNIKOW
O'MELVENY & MYERS LLP

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13 /s/ Michael Sapoznikow
Michael Sapoznikow

14 Attorneys for Third Parties
15 ADVANCED MICRO DEVICES, INC.,
16 XFX TECHNOLOGY, INC., and
17 BEST DATA PRODUCTS, INC. D/B/A
18 DIAMOND MULTIMEDIA
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